

ST. ALBERT GAZETTE

August 18, 1962

Founded June 17, 1961 - St. Albert's 100 Anniversary

Volume 2 No. 33

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Saturday, preceding next issue

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Secretary-Treasurer appointed.

Upon a report by Mr. J. DeBruijn concerning recommendations of the newly-appointed advisory managerial committee, Council Monday evening moved to split the top administrative post in its administration into two - that of secretary-treasurer with duties as set out in the Town and Village Act, and that of Town Manager. In effect the two positions, equal in authority would have responsibility, one for the office and as it were "inside the Town Office" work and the other for the "outside" or developmental and construction work. Mr. Sidney L. Billings, who has been assistant Secretary-Treasurer, was then appointed to the position of Secretary-Treasurer, with salary adjustments to be made retroactive to the date of this appointment, August 13th. Mr. DeBruijn made the motion changing the positions as outlined, which in effect, he said, created a "commissioner" type of government, with two commissioners of equal rank. Questions relating to the exact division of responsibility in the two positions were referred to the advisory committee.

Another position formerly filled by Mr. Gordon Parkes, that of Welfare Officer, was then considered, and upon Mr. DeBruijn's motion Mrs. Hugh Williams, the Council's private secretary, is to assume that position in addition to her other duties at a salary of \$500.00 additional. It was pointed out that this additional salary is the same as that allowed for the town's Probation Officer.

Development application rejected.

The application of Northern Land Development Ltd. for a residential development south of Edmonton Street (opposite Jasper Auto Parts) was refused on the grounds that this area is zoned as agricultural and institutional. Dr. Stewart's motion to this effect was carried unanimously.

An agreement for option on Stage five, Grandin Park by Engineered Homes will

Editorial WJN.

THANK YOU GORDON!

Friday, August 10th, 5:30 P.M. was the moment that Mr. Gordon Parkes ceased his duties as Secretary Manager of the Town of St. Albert. Nine years has Mr. Parkes served our Town with all his heart. He started when the population was 900 and saw the town grow, especially the last years under the New Town's Act, to a town of nearly 6,000. Much has been said regarding his resignation, but one thing was sure—all the town is unanimous in its thought that Mr. Parkes has done a splendid job for St. Albert. Well qualified, progressive leadership was his strong point, and his staff respected and adored him as a man who always kept his word, and who knew what it means to say "yes" and "no". Mr. Parkes' leaving is a great loss for the Town. It will not be easy to replace him, although, of course, nobody is irreplaceable. When we see our paved streets, sidewalks, water and sewer and the orderly development of our Town, we will always remember him as the man who was the driving force for all those good things which have brought our Town a respected name in Alberta and Canada. We hope that the progressive service that Mr. Parkes has given us will continue in the future. We also sincerely hope that the development of our Town will not suffer a setback for the reason that we are now under the Town and Village Act, but that we will continue this development in the same progressive way as before. It is our duty to secure for all those businessmen and other citizens who have invested their money and their faith in our Town, a continuing sound development and stable government. Mr. Parkes ended his service leaving us in a healthy financial state with one of the lowest mill rates in Alberta. For this and innumerable other things, we wholeheartedly say "Thank you, Gordon". We wish you and your family all the best in the future.

be considered by the advisory committee on receipt of additional information covering plans.

To approach Bus Company.

On the motion of Mr. Montpetit the Bus Company is to be approached regarding a route through Sturgeon Heights. This was prompted by the hazard of crossing the highway for loading and unloading of passengers on the present route.

To Advertise for Secretary-Manager.

On the motion of Mr. Powell advertisements are to be placed in daily newspapers in Lethbridge, Calgary, Edmonton, Regina, Saskatoon, Winnipeg and Vancouver for applicants for the position of Manager. Dr. Stewart moved that a similar advertisement be placed in the appropriate professional journal. Referring to a previous suggestion that a firm of consultants be hired to secure and screen applicants for the position, Mr. DeBruijn advised that he had approached one such firm, but its Edmonton representative refused to consider accepting the task, terming the St. Albert administration "an explosive political situation", of which they wanted no part.

Police Commended.

The Mayor, on receiving the report of the RCMP, commended them for the excellent job of traffic control which they turned in on the Civic Holiday. The police report showed an excellent situation in regard to law enforcement for July. On being questioned, Cpl. Saiko advised that the "molester" on whose actions the Gazette commented some weeks ago is in custody and receiving appropriate psychiatric treatment.

Building Permits up again.

An additional 55 residential permits were approved in July with the total for the month \$665,526.00. This brings the total for the first 7 months of 1962 to 280 residential permits, and a total value of \$3,568,708.00.

Recreation Report.

Mt. Lorne Wood, Temporary Recreational Director, gave an interim report. He dealt with results of research into the costs of swimming pools and advised the costs of out-door pools varied in the Province from \$30,000 to \$280,000, and that the average operational loss per year per pool was about \$2900.00. The

continued on page 2

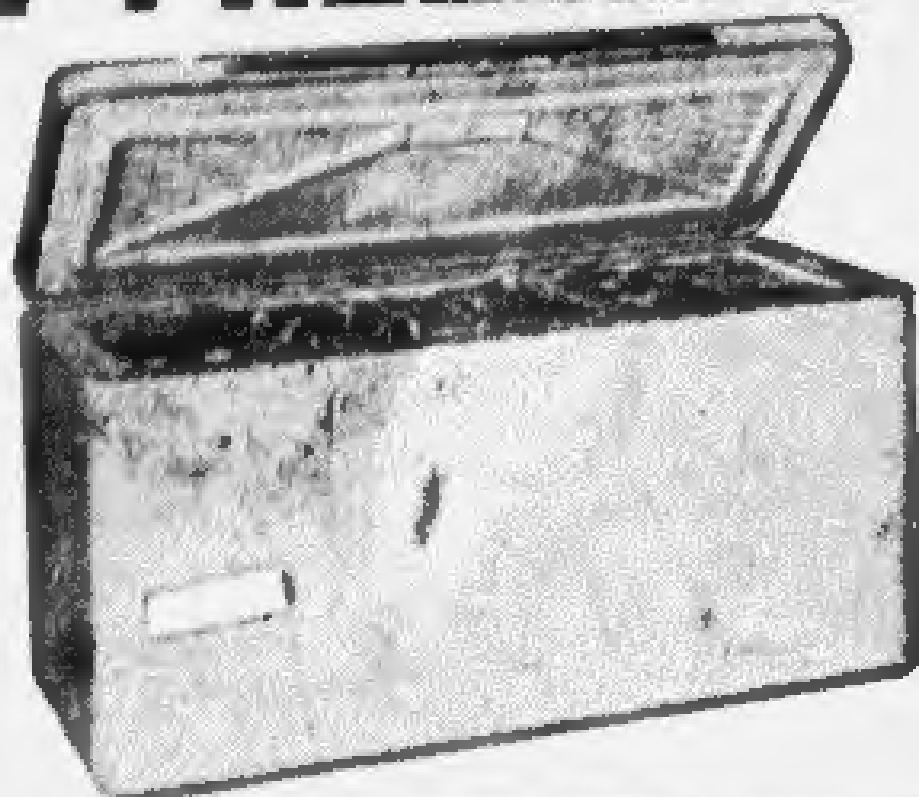
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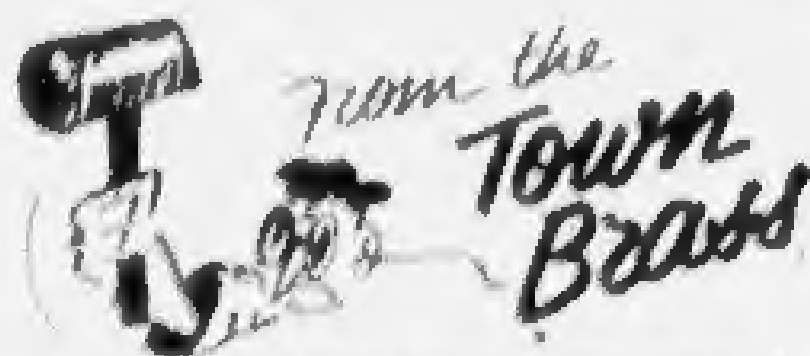
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continued from page 1

free per point in the city was over \$10,000 and the operational free over 12 months operation for each indoor pool in the city was \$14,000,000. He stated that in accordance with advice from the Provincial Community Recreation Department, he had divided his survey work into three problems. The first, a survey of existing facilities, is complete, the second, a survey of existing programs is 80% complete and will be finished in a day or so. The third, a "family interest survey" is in progress and is the most important and vital to any sound recreational program. It necessitates house-to-house calls. He hopes to get the machine for this survey at the meeting to be held on the 15th, at which time an attempt will be made to secure volunteer committee and captains to undertake this work. At that meeting, to be attended by representatives of various organizations and interested citizens, members of Council will be available to answer any questions and answer the Town's report on this. Mr. Wood expects that this survey can be completed and completed before the end of September to be incorporated into his report to Council.

Town granted seat on Health Board. Subject to confirmation by Order in Council the Sturgeon Health Unit Board has voted to extend the offer of a seat on the Board. Dr. Skrobot moved the appointment of Dr. Stewart to this position, subject to the aforesaid approval.

Trampoline Centre approved

An offer by an experienced operator to install a trampoline centre on the northwest corner of the shopping centre was approved. The application for license of The Village Laundromat was also approved subject to provincial approval of the installation of equipment.

Letter filed regarding Mr. J. Potter. A letter was received from Mr. Robert Green of St. Albert regarding an article in the Edmonton Journal discussing the departure of Mr. J. Potter from Alberta. Mr. Green asked that the town make a public statement that the rumours concerning "anti-Catholicism" on Mr. Potter's part were false. Mr. J. DeBrujn, speaking for Council, said: "There is no religious animosity existing in the present Council and in the best of my knowledge, none on the part of the previous Board. I feel that Mr. Potter was wrong in making these statements (as reported in the Edmonton Journal). He should have made representations direct to Council. I think he would have been well received". Mr. Powell then moved that the letter be filed. Mr. DeBrujn asked "Is there anything you can add, Mr. Mayor?" to which Mayor Vernon re-

plied "No, I have nothing to add at this time." The motion to file the letter was then carried and Mr. Green thanked Mr. DeBrujn for his statement.

TEXT OF LETTER TO COUNCIL

No doubt most of the residents of St. Albert had the dissatisfaction of reading a front-page article in Saturday's (August 11th) Edmonton Journal discussing the departure of a former administrator of the New Town of St. Albert to the opposite side of this continent. The publicity given to this matter can have only a detrimental effect on the status of St. Albert in the public eye. It is apparent that Mr. Potter has suffered considerably from the accusation of his being anti-Roman Catholic, and now wishes to get as far away as possible from this town.

Is it reasonable that St. Albert should let this man depart bearing a false accusation which also reflects upon the integrity of the town itself. Surely some positive statement should be made by the administrative body or by the mayor to clear this man's name.

The Hon. Mr. A. J. Hooke, Minister of Municipal Affairs, has stated that the rumours circulated concerning Mr. Potter were false.

The editors of the Edmonton Journal and of the St. Albert Gazette have both also indicated their belief in Mr. Potter's integrity.

Surely our town can at least make a public statement concerning its stand in this matter.

ROBERT GREEN

6 Greenview Crescent.

FAREWELL PARTY FOR MR. PARKES

A farewell party was given by the staff of the Town of St. Albert honoring Mr. Gordon Parkes on Friday, August 10, the day on which he left the service of the town. A gift of luggage was presented to him with Mr. Dick Kehling doing the honors. Different speakers expressed the feeling that working under Mr. Parkes' supervision was always a pleasure. Mr. Parkes thanked all the staff with a personal reference to each. He asked them to give the same loyal service to the town in the future as they had under his direction.

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FAREWELL PARTY



Seen at the party honoring Mr. Parkes as he left the Town's service are, seated, Mr. Gordon Parkes and Mrs. Parkes, and standing, Mr. Sidney L. Billings, newly named Secretary-Treasurer of the Town and Mrs. Billings.



Mr. Dick Kehling presents a gift of luggage to Mr. Gordon Parkes on behalf of the staff of the Town of St. Albert.



Mr. Gordon Parkes rises to thank the staff members for their gift and kind thoughts of him.

St. Albert
DRIVE-IN THEATRE

Admission Adults 75¢ - Students 50¢
Children 11 and under Free.

Thurs. 16 - Fri. 17 - Sat. 18

8.30 p.m.

Adult



plus

10.30 p.m.

Adult



Sun. 19 - Mon. 20 - Tues. 21

8.30 p.m.

Adult



plus

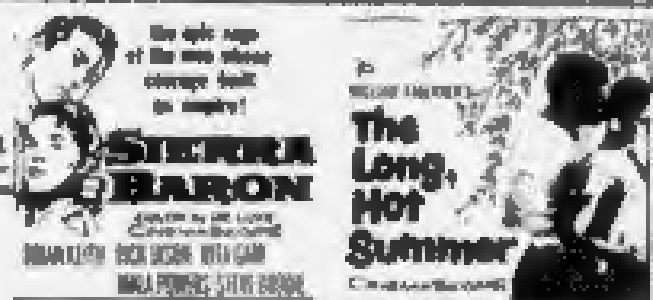
10.30 p.m.

Adult



Wed. 22 is Buck-Nite, \$1.00 per carload

Adult



8.30 p.m.

10.30 p.m.

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Grandin Shoppers Park

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LOCAL NEWS

continued

for St. Albert so far as Alberta is concerned. The Gresham Blvd. section is in the nature of a pilot project and will be observed with interest.

VACATION SCHOOL ENDS WITH PARENTS NIGHT.

With an enrollment of over 75 children the St. Albert United Church Vacation School was an unqualified success. Mrs. Philip Upright, the Director, reports an unusually low percentage of "dropouts" indicating the continued interest of both parents and children.

On Friday evening, the children and staff entertained the parents with a demonstration of their work throughout the two-week school. During an informal worship service, conducted by Mrs. Upright, choirs formed from kindergarten Primary and Junior Sections of the school sang. Attendance certificates were presented to those with perfect or almost perfect attendance. Following the service children proudly displayed their handicraft downstairs and light refreshments were served. In addition to handicrafts, the children shared a study program, learned many songs and enjoyed a well planned physical education program.

SHOWERS HONOR GAIL MURRAY

Two showers recently honored Miss Gail Murray, daughter of Mr. and Mrs. R. D. Murray, whose marriage to Mr. Bernard

CHERUB "Heart Line" the fashion rage in new coiffures! direct from Paris!



You'll love the smart smooth crown, the heart-shaped lift at the sides. Be the first to wear this flattering new coiffure.

St. Albert Beauty Salon
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Curial, son of Mr. and Mrs. M. Curial will take place on August 31st in the St. Albert Roman Catholic Church. Mrs. D. Barron, assisted by her daughter Peggy, was the hostess at a shower attended largely by residents of the St. Leon district and St. Albert Trail. Miss Murray received a chrome bread box and salt and pepper shakers. The box when opened proved to be full of kitchen gadgets and preserves.

A Miscellaneous shower, attended by over fifty friends was held in the Parish Hall, where a table centred with a flower decked pole with streamers extending around the table, held the profusion of gifts, games and a sing song led by Mrs. W. W. Fraser were enjoyed. Miss Joyce Mitchell, assisted by Mrs. L. McConkey, were in charge of the arrangements.

RECIPE EXCHANGE

St. Albert women have a tradition of being excellent cooks and newcomers seem to have fitted right into that pattern. We'd like to help that tradition along by giving an opportunity for the exchange of a few favorite recipes. How about a few "Quick 'n Easy" ones for busy August days? Here's one for a start.

Chiffon Delight

Prepare 1½ cups Vanilla Wafer (or Graham Wafer) crumbs. Mix 1 cup with 2 tbs. melted butter and pat into bottom of 8" square cake pan. Prepare as directed one package of Lemon Chiffon Pie Filling and pour into pan, spreading it as level as possible. Sprinkle with remaining crumbs and let set for an hour. Then prepare one package of Dessert Topping Mix and spread over top. Chill until serving time. This can be cut into squares with a knife dipped in hot water and served on plates to be eaten with a fork. It will keep for a day or so covered with foil or Handiwrap.

If you have a "Quick'n Easy" please phone Mary Usher at 599-6216, or write to her at Box 98 St. Albert.



CIVIC HOLIDAY

St. Albert Studio

THE BIG DRAW.

Chamber of Commerce Vice President Rudy Schiebelhofer announces that Rod

Belley has just won himself a camera. Looking on are Director Jerry Dewitt President Dick McGee

We are pleased to have
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in.....

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CIVIC HOLIDAY

YOUNG CYCLIST RECEIVES AWARD

Pictured is little Christine Thompson
as she rode her first bike in the

Junior division for her decorated bike
in Monday's parade. Mrs. W. Netelenbos
does the honors, as committee chairman
Rudy Scheibelhofer looks on.



by A. P. Brunner

Christenings:

Martin Wolfgang, son of Mr. and Mrs.
Wolfgang Lindner, whose godparents are
Mr. Franz Lindner and Mrs. Irene Logo-
zar.

Sherlene Marie Lilly, daughter of Mr.
and Mrs. Arthur Parrot, born July 29th,
whose godparents are Mr. and Mrs. Wm.
Veness.

Debbie Ann Pampu, daughter of Mr. and
Mrs. Robert Pampu, who was born on
July 25th and whose godparents are
Eugene and Paulette Cessant, baptized
on August 5, 1962.

Deaths:

Mr. Patrick William Benoit of 10 Mill
Drive passed away on July 31st at
the age of 63. A veteran of World
War I, he was born in the St. Albert
District and lived here all his life.
He passed away after a long illness.
Mourning his loss besides his wife,
Mary are five sons, Wilfred and Laurence
in Edmonton, Victor, Gordon and Edward
at home and two daughters, Mrs. P.
Belland (Victoria) of Edmonton and Mrs.
D. Gagnon (Teresa) of St. Albert. He
also leaves 10 grandchildren and five
brothers - Henry and Octave Savard and
Henry, Elzear and Joe Benoit, and one
sister, Mrs. Andy Niehaus of Edmonton.
Mr. Benoit was a member of the St. Albe
Branch no. 271 of the Canadian Legion.
A military funeral was held on August
4th from the St. Albert Roman Catholic
Church when members of the Legion acted
as pall bearers. Bugler was Mr. John
Paseika of Edmonton.

Annual Pilgrimage

to be August 18th.

The Annual Pilgrimage to the St. Albert
Grotto of Our Lady of Lourdes will be
held on Sunday, August 19th. A time-
table of the program follows:

Confessions: 7:00 a.m. to 12:00 noon
Low Masses: 7:00-8:00-9:00-10:00.
Communions: In Church every half hr.
High Mass: At Grotto, 11:00 A.M.
Marian Hour: At Grotto, 2:00 P.M.
Procession of the Blessed Sacrament,
3:00 P.M.

Blessing of the sick....Veneration
of the Relic.

Sermons will be delivered by:

Rev. Father Thibeault OMI

Rev. Father Dommene, OMI

Rev. Father Swift, CSSR

Rev. Father Champagne, OMI

The Ladies of the Altar will serve
breakfast and lunch. The Knights of
Columbus will be in charge of the park-
ing and circulation. This is no mean
task as in past years thousands of the
devout have attended the Pilgrimage.

AFTER NUMEROUS UNAVOIDABLE DELAYS.....

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DOWN-TOWN



A hearty welcome is extended to the following New Citizens of St. Albert.

July 9: Mr. and Mrs. A. Guellette
13 Gordon Crescent

July 10: A. Marmay
12 Balmoral Drive

July 11: F.E. Pratt
35A Balmoral Drive

J. deChamplain
35 Spruce Crescent

R. J. Manning
17 Gretna Place

M. Hakkirk
19 Spruce Crescent

July 10: R. D. Belland
10 Garden Crescent

B. Ulliot
23 Spruce Crescent

July 13: D. C. Shampier
51 Grosvenor Blvd.

July 13: R. Crossley
12 Gordon Crescent

D. Flook
13 Sylvan Drive

F. W. Wood
2 Savoy Place

July 16: E. R. Mead
17 Grosvenor Blvd.

W. Tymchyshyn
48 Sheridan Drive

July 17: W. Ethier
11 St. Michael

July 18: A. Jessiman
3 Savoy Place

July 19: J. McIlhargay
18 Grandville Ave.

July 19: J. Volk
81 Grandora Crescent

F. Neveu
28 St. Vital Ave.

July 20: K. Robson
34 Grandin Rd.

July 23: R. Milligan
103 Grosvenor Blvd.

J. E. Jahour
64 Gordon Crescent

M. F. Brown,
16 Seymore Crescent

E. Arklie
14 Grandin Road

YOUVILLE FARM TO LIQUIDATE

The Sisters of Charity (Gray Nuns), operating Youville Farm, established at St. Albert many years ago, have begun to liquidate their farm property. Several factors have led to this decision. With the expansion of the Town of St. Albert, the residential area is now extending well up to the farmyard area, and the portion of population inconvenienced by this proximity will only increase. Many of the buildings are now old and vast sums would be required for their replacement. The decision was precipitated by the fire which destroyed the dairy barn last February.

The Youville Farm has for many years been the pride of the region. It was in 1881 that, equipped with four oxen, a few horses and a plow, working in relay around the clock, Father Lacombe cut in the first crop with the view of teaching the then nomadic Indian the

principles of drawing a subsistence from the soil. This was a far cry indeed from the highly mechanized methods presently used at Youville farm. From 1885 to 1942 when the Indian Residential School closed, the Gray Nuns continued to teach Indian boys the art of farming. Through the years hog and poultry raising have been carried on in conjunction with grain farming. A large dairy farm has also been operated by the Gray Nuns. Today's herd consists of 170 of the finest registered and grade Holstein cattle, and has been supplying the needs of the Edmonton General Hospital, the St. Albert Seminary, St. Albert Mission and some 90 local customers.

The herd will be disposed of by auction on the farm premises on Saturday, August 18, 1962 at 10:00 a.m. with Don E. Bell and Maury Jacobs as auctioneers.

FOR FINER FOODS

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SHOP AT YOUR FRIENDLY

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10 PIRON ST.

SCHOOL BOARD HAS POWER TO REGULATE DRESS.

In view of the public interest in the recent court case in connection with the power of a school board to regulate the dress of students attending school in its district, we are printing the oral judgment of Mr. Justice Milvain in the case, as a public service.

"In this case the basic facts are not disputed and have been embodied in a statement of facts which was agreed to by counsel and filed as Exhibit 1 in this proceeding before me.

Suffice it is to say, the problem which the court is required to determine, is as to whether or not the plaintiffs are entitled to relief because of enforcement by the School Board and the teaching staff, of certain dress regulations. Those regulations were passed at a duly constituted Board meeting as a resolution, but not as a by-law, and so far as those dress regulations are germane to this particular proceeding, they provide that with regard to students' dress in the class room, all male students shall wear dress pants or slacks, not blue jeans, a standard shirt with not more than the top button open.

The infant plaintiff went to the school dressed in blue jeans with the "T-shirt" and pullover sweater.

It is admitted that this dress was neat and clean, and I may say on seeing the little boy in Court before me dressed in the very blue jeans, T-shirt and pullover sweater that he wore in going to school, in my view he was certainly neat and clean.

However, if the regulation has validity in law, the dress, though neat and clean was an infringement of the regulation. The court is asked to find that the regulation lacks validity and that, therefore, the action of the Board and of the teaching staff in refusing to allow the child to continue attending while dressed in contravention of the regulations, is wrongful, and that there should be an order of the Court requiring this school to accept the child dressed in the blue jeans, T-shirt, and pullover sweater.

Before dealing with the matter before me in more specific terms, it seems to me that there are certain basic conceptions that must be borne in mind. The first such basic conception, in my view, is that all of the legislation which deals with school matters insofar as it effects the operation of the school in its relationship to the children in direct fashion, must be construed in such a fashion as to make sensible and

workable, a valuable institution in our society, namely that of schools; that it would be an extremely dangerous to attempt a technical needle-finding approach to construction, because to do so would be to make the whole scheme of things impossible and unworkable.

The next basic conception that I think must be borne in mind is that in our society the function of a school is to do more than merely teach the three R's. If that were all that the school did, it would fail in its purpose and it would not continue to carry out and perform the useful function that it has come to perform in the position it occupies in society.

It seems clear to me that in addition to teaching children the three R's one of the important things that a school does is to implant in the young and developing personality, a proper and decent ethical outlook on life. It is designed too, to develop as a part of that ethical outlook on life, the capacity of self-discipline within the individual, and undoubtedly the first essential in developing the capacity of self-discipline in people is for them to be exposed to external discipline, particularly in their younger days and throughout the whole of their lives.

There are none of us in this court room at the moment who do not, in the living of each day, exercise self-discipline on ourselves in some respect, and there are none of us who, in our everyday life are not being disciplined by outside forces, and if that were not so, ordered, decent living would be impossible.

It seems to me too that as a further facet of the development of an ethical outlook on life in young people, that it is one of the duties and functions of a school to implant ideas of orderliness, neatness, politeness, and the proper self pride that comes to an individual who is orderly in mind, and, therefore, it seems to me that inherent and deeply embedded in the common law, which is common sense, which governs the operation of schools, there stands outside of any particular statutory enactment, the inherent power to impose proper discipline on the children that attend the school.

It would be just as senseless to create a school system without the power of disciplining the students, as it would be to build a school house without doors through which to enter it. It could be the finest structure in the world, but useless if there is no means of entering; it could be the finest school system in the world on paper but utterly useless without the power in those that administer the school, to impose discipline on the children that attend it.

I feel, therefore, that this School

continued on page 10

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SCHOOL DRESS

continued from page 9

Board, as now by the school Board, had at all times the inherent power to pass necessary regulations for the orderly running of the school as a school, and that as an essential part of those inherent powers was the right, and more than that, the duty of regulating the field of discipline in the school. It is only to be noted that that inherent power is given recognition by Section 179 of the School Act because it says in mandatory terms that the Board shall make regulations for the management of the school and to communicate those regulations to the principal. In other words, this Statute which breathes life into the school Board, dictates in mandatory terms that they must perform their duty: they must exercise those powers which are given them specifically by the Act, and which fall upon them through the inherent powers that they have and must have in order to have the school function as such. Further than that, Section 178 directs in mandatory terms that in upon investigation it appears to the Board that there has been open disobedience or wilful disobedience or wilful neglect of duty and other things, not that they may, but that they shall, they shall suspend or expel. It is a mandatory duty. The contrary to that would be that obligation, shall we say, rather they could or the Board, with what is said in Section 178 dealing with the suspension of the teacher, because Section 178 says that a teacher may be removed from a class or from school, a suspension or a removal or open disobedience or wilful neglect of duty, the use of force

force or improper language or other conduct impious to the moral tone or wellbeing of the school. We find that section in permissive terms, and I am sure the reason behind it is this, that again embedded in the principles of the common law, we find that the teacher is recognized as being in loco parentis with respect of authority over the child while under the jurisdiction of the teacher. So that the teacher, being there on the ground in the event of there being conduct deserving of punishment in the nature of suspension, may do so there and then on the spot as an essential part of enforcing that discipline which is necessary to the proper functioning of the school. Were that not so, the functioning of the school would become as impossible as would the orderly functioning of the home if either parent prior to disciplining their own child had to go to some constituted authority and get permission to discipline their child. Common sense tells us that there must be a field within which sensible people can operate there and then in order to enforce the discipline that is necessary to have the school function at all.

Now then, the question is raised as to whether or not a dress regulation is properly a part of discipline. It seems to me that that question has been fully answered by Lord Goddard in the case of *Somers v. Barrington Corporation*. It is cited in 1954 1 Queen's Bench Division at Page 61, and he was there dealing with a case in which the headmistress of a school had made certain dress regulations with respect of dress, one of which was to the effect that girl students should not wear slacks in the school. The particular child in question was

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ferent health, and the parents believed, and I think, honestly believed, from the report, that it would be in the best interests of the child if she should wear slacks. The headmistress refused to let the child attend, and the question that really arose in the case was as to whether or not the parents were guilty of an offense under the Act for not sending their child to school, and the question arose as to whether or not they were sensible or rightful or justified in keeping the child out. The court held that the parents were not so justified. In dealing with this matter, Lord Goddard, after dealing with the terms of the Act which empowered the headmistress to be responsible for discipline, among other things, in the school, he goes on to say at page 68:

"The headmistress obviously has the right and the power to prescribe the discipline for the school, and in saying that a girl must come to school not wearing a particular costume unless there is a compelling reason of health, surely she is only acting in a matter of discipline and a matter which must be within the competence of the headmaster or headmistress of any school, whether it is one of the great public schools or a country secondary or country primary school. There must be somebody to keep discipline, and of course that person is the headmistress" Lord Goddard has made it clear, at least in his view, that control of dress is a matter of discipline. I must say that I agree with him 100%; that had he not so decided in 1954, I would have been perfectly prepared to so decide myself now because one cannot think in logic of anything more connected with discipline in a group of young people, than the manner in which they are dressed, the manner in which they conduct themselves and the problem of what is considered to be proper or improper dress may well vary from point to point and from time to time and in accordance with changing conditions.

At the time these particular regulations were passed by the Board, they did so because there was current in society a feeling that the blue jeans and the T-shirt were the uniform of the hoodlum. That, of course, does not mean

continued on page 11

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SCHOOL DRESS

continued from page 10

that each person who wears them, is necessarily a hoodlum, but where a group, a large group of young children are brought together for the purpose of being educated in a school, I cannot say that any School Board is acting unreasonably should they decide that any of the unpleasant elements or those indicia of unacceptable elements are kept away from children in their care. It strikes me as being reasonable that they do so, and I am satisfied on the basis of the law, which is set out in many cases, and reference to one of them is sufficient, and that is the Kruse and Johnson case, the citation of which is 1898 a Queen's Bench Division at page 91, that where it appears that a public authority has been acting reasonably without what might be generally termed in the law of bias, and bias is a wide term in the law, that they have acted bona fide, that a court is not going to interfere with their conclusions even though they may feel, the particular court may feel that the public authority exercised its discretion in a slightly different way to what the individual court might have done.

Before the court will interfere, there must be such unreasonableness that it goes to the root of the jurisdiction

and destroys it. That cannot be said in this case.

I, therefore, conclude that the dress regulation passed by this Board was valid and one which the teaching staff properly enforced.

When I say that in my view the regulation was valid, I must also give an expression of my view to an argument which was advanced to me to the effect that under the law of this land, such a regulation involving dress, should be a by-law rather than by resolution. It is not my view that the terms of the School Act are such that a by-law as distinct from a resolution, was required in the case of a regulation of the nature passed.

I feel further that the Board in passing their resolution, were not infringing in any way the regulation which had been passed by the Department and appearing as Regulation 303 of 1962 or the regulations of similar nature that existed prior to that one, because in my view the Department, in passing regulations dealing with dress, as they did, merely stipulated that there should be neatness and cleanliness, in effect, would be passing that type of regulation which would properly apply to all schools anywhere in the Province. The Department quite properly would not reach out and pass regulations of the particular nature that might be made to apply in different areas. That

duty is upon the local board to do what it honestly sees fit to do in the best interests of the children and the community within which they operate and it seems to me that the Board of the district in question did just that. I am, therefore, dismissing the plaintiff's action. However, it is my feeling that the Choukeles family were quite sincere in taking the position they did, though I have found them to be wrong, and that, therefore, I have no criticism of them in having brought this matter before the court for determination. I am, therefore, motivated to direct that though the action be dismissed, it is dismissed without costs.

I would like to say to counsel that I am very deeply appreciative of the manner in which this matter has been conducted before me. Counsel were realistic in their approach to the matter in saving the Court a great deal of

Continued on page 13

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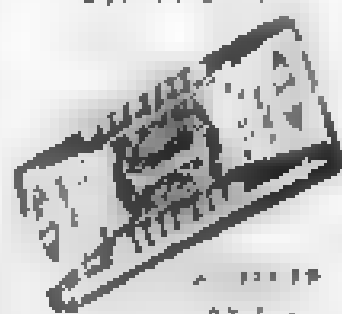
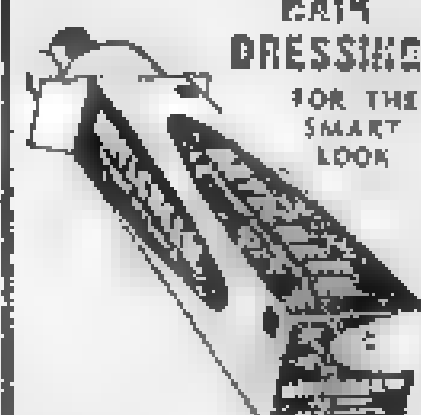
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SCHOOL DRESS

continued from page 11

time and effort by having come up with their agreement as to facts because,

of course, it is the sensible thing to reach agreement by way of admission on matters that can be proved in any event but which may require a great deal of proof and time. I am also appreciative

of the way in which counsel have prepared themselves for the presentation of the case to me, and when I say that all of the legal elements that touch upon the matter were gone into exhaustively, I don't mean in any way that I found it exhausting to listen to, it was exhaustive in that great care was taken in the preparation, and on the contrary to being exhausting, it was stimulating from a mental point of view to listen to you three gentlemen."

SORRY FOR A SMALL GOOF!

We'll never trust the evidence of our own eyes again. We gave a bouquet to Jimmie Roberts last week for umping 3 games and then pitching. It seems that one Umpire looks much like another to our untrained eye - besides we were four other places at the same time, so we didn't see Joe Gunn, Harry Pudlowski, Eddie Roland and Jerry LaFleur, all doing their bit officiating and then most of them playing in the senior game later. Our apologies for being a rotten sports reporter! One way for avoiding this sort of inefficiency in future is to send in reports of various sports activities to us as soon as they happen. Then we can blame you if anything is wrong!



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tin. For a change of my wives name to
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John Warkentine
John Warkentin

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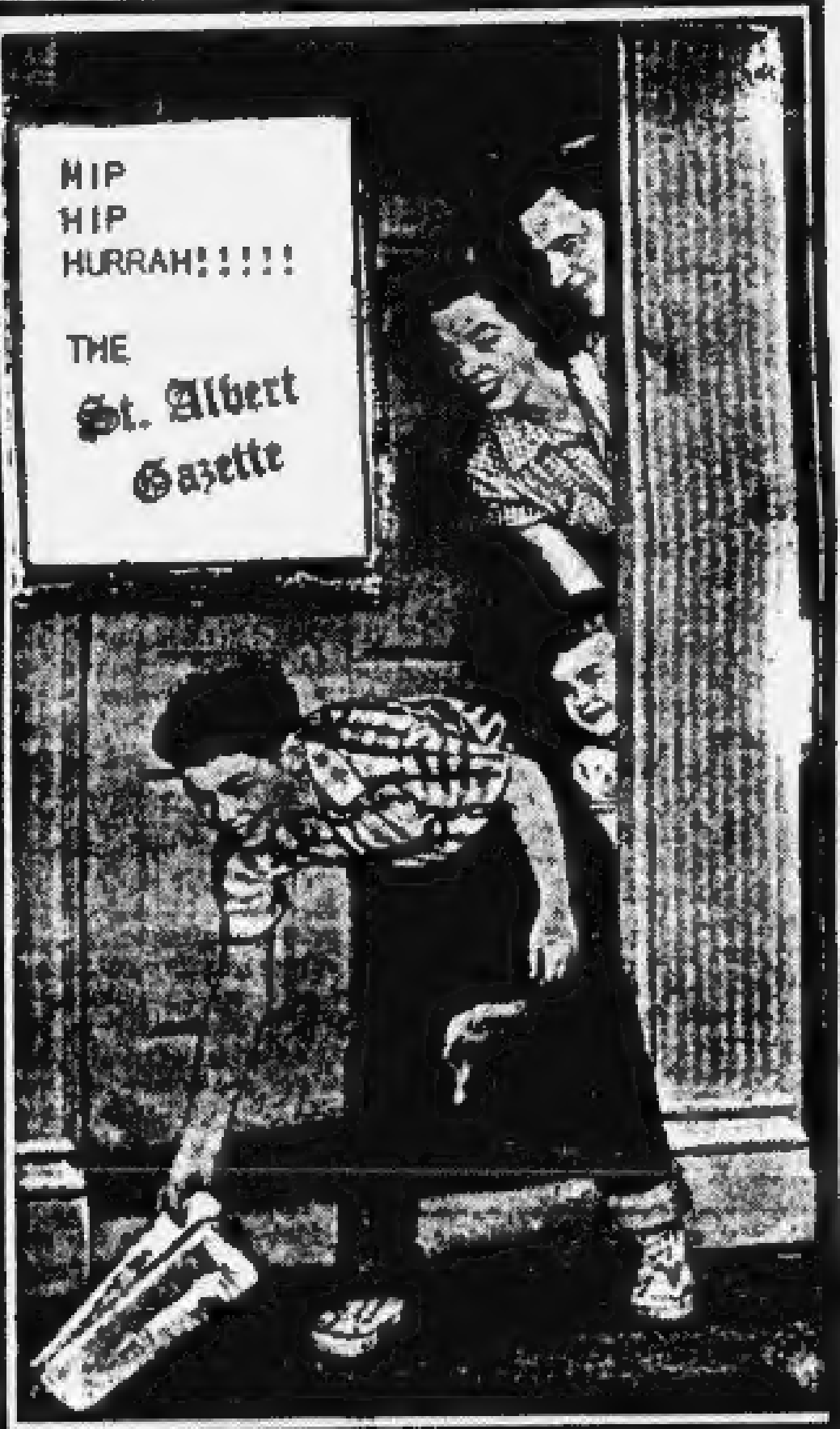
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